



Landlord/Tenant Building Repair and Maintenance Frequently Asked Questions (FAQ'S)

1. I live in a basement apartment and the thermostat for the entire house is located in the upstairs unit. My unit is always cold and I cannot control the heat. Is this legal?

Answer: No. In Fort Collins, all separate rental units, including upstairs/downstairs arrangements, shall have separate controls for heating regulation. All units shall have separate forced air heating systems or be provided with a closed system such as base board electric or hot water heating that can be controlled by each tenant. Each tenant shall be able to access his or her own electrical controls.

2. My roof, and sometimes my basement, leak whenever it rains. My landlord refuses to fix it. What can I do?

Answer: Local building regulations in Fort Collins require every building shall be weather protected to provide shelter for the occupants against the elements and to exclude dampness. If the property owner does not fix the situation within a reasonable time, you can call [Building Services](#) to set up an inspection of the premises.

3. This has been a cold winter and the heating system in my apartment isn't working properly, Is there a standard for what is an appropriate level of heat?

Answer: City ordinance requires all habitable rooms shall be provided with permanent heating facilities capable of maintaining a room temperature of 60 degrees at a space measured 3 feet above the floor and 3 feet from an exterior wall.

4. My landlord comes in to my duplex and fixes things while I'm not home. He doesn't give me any notice and I don't like him being in my house while I'm away. Can he do this?

Answer: It depends. Many leases have language describing how repairs - and entry into your rental unit - will occur. In Colorado it is assumed if the lease does not mention it, the property owner may enter the premises for maintenance at any time he/she desires. If this bothers you, you may want to ask for written notice prior to entry. Get any agreement in writing.

5. Our toilet has been leaking and the landlord is taking a long time to fix it. I'm afraid the damage to the bathroom will be charged against my security deposit. What can I do?

Answer: At minimum, state your concerns in writing and submit it to the landlord. If desired, you may also want to take pictures of the damage from the leaking toilet. City ordinance requires all plumbing fixtures be in good working order, and any interior work be completed by a licensed contractor. Contact [Building Services](#) if your landlord does not take care of the problem in a reasonable amount of time.

6. Several of the electrical outlets in my rental house don't work. I'm having a hard time getting the property manager to send over an electrician. Should I hire my own?

Answer: It is the responsibility of the property owner and/or manager to maintain all electrical outlets in a safe manner, in accordance with the City Electrical Code.

7. My landlord is putting a new roof on my rental house, and I feel he is doing a poor job. Shouldn't he have a professional helping him?

Answer: Landlords are not permitted to do any work requiring a permit (major repairs, alterations, or projects). A private contractor must be hired to complete these repairs. Contact [Building Services](#) for a list of home improvement projects requiring a permit.

8. There is a strange black mold growing in my basement laundry room. I've tried to keep it dry down there but the mold keeps coming back. Is this dangerous?

Answer: Possibly. If you have a persistent black mold, you could be at risk of ingesting noxious spores. Contact [Building Services](#) or the [Larimer County Health Department](#) for assistance.

9. Lately I've been smelling gas in my apartment. What should I do?

Answer: If you smell gas, the first thing you should do is open a window and leave the building. Call [Xcel Energy](#) at 1-800-772-7858 and report a gas leak. They will dispatch a repair crew immediately. If you're suspicious of a gas leak, you might also want to think about purchasing a home carbon monoxide testing kit.

10. My bedroom is in the basement and doesn't get any natural light. I've heard all bedrooms are supposed to have a window. Is this true?

Answer: All habitable rooms, including rooms used for sleeping, shall have either a approved egress window (size requirements vary depending on when the house was made into a rental unit) or a direct exit for emergency use. Contact [Building Services](#) if you feel your home is in violation of City Code.

11. There is a big pile of branches and leaves in the alley next to my rental house. I was told by the City that I'd have to remove them or be ticketed for a nuisance violation. Shouldn't my landlord be responsible for moving the branches if the house belongs to him?

Answer: According to City ordinance, any premise with an accumulation of weeds, vegetation, junk, combustible materials, etc. can be considered a risk to health and safety and can be declared a nuisance. The property owner is ultimately responsible for disposing of the hazard. [Contact Neighborhood Services Code Compliance Division](#) for more information.

12. What can I do if a neighbor's cigarette smoke is coming into my apartment?

Answer: Although smoking is unlawful in public places, it is permissible on private property if a landlord allows it in the lease. Many landlords nowadays are aware of the health and financial risks associated with first and secondhand smoke and are instituting non-smoking policies both inside and outside rental units.

For more information about smoke-free housing, see

- mysmokefreehousing.org
- larimer.org/health/chs/tobacco.asp

Additionally, If you are sharing a forced air system with a neighbor, it is possible your unit is not a legal

duplex/triple. To request information or a free rental housing building inspection, call 416-2305 or visit fcgov.com/nbs/pdf/rentalhousing-standards1-09.pdf.

If you have other questions or would like to speak with someone in person about a particular problem or issue, please [contact us](#). The Community Mediation Program provides information on tenant/landlord, neighbor/neighbor and roommate disputes and can provide free mediation services in these areas for people who live within Fort Collins city limits.